IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.
WRIT PETITION (LODG.)NO.490 OF 2007

Krishna V. Parkar ..Petitioner.
Vs.
State of Maharashtra and Others ..Respondents.

....

Mr. U. P. Warunjikar for the Petitioner.
Mr. Milind More, AGP for Respondents 1, and 4.
Mr. S.P. Thorat for Respondent No.3.

...

CORAM: **SWATANTER KUMAR, C.J. &**
DR. D.Y. CHANDRACHUD, J.

14th August, 2007.

P.C. :

In this Petition under Article 226 of the Constitution of India the Petitioner has made a prayer that the Respondent should be directed to allot the residential premises admeasuring about 750 sq. ft. in a newly constructed building or in any area in the same vicinity of the Petitioner. Counsel appearing for the Repair Board submits that it is for the non-production of original documents that the claim of the Petitioner could not be accepted and in this regard he refers to the order of 19th September, 2005 by which the Petitioner was called upon to produce ten documents referred in

the said letter of 19th September, 2005. It is further stated that the Petitioner neither turned up nor produced the said documents resulting in the authorities to decline the request of the Petitioner. Be that as it may, it is not necessary for us to determine this question. In view of the above, we direct the Petitioner to be present before the the Chief Officer of the Repair Board, Bandra, Mumbai on 4th September, 2007 at 11.00 a.m. and produce all the original documents which have been referred to at Sr Nos.1 to 10 of the letter dated 19th September, 2005 Exhibit A to the reply filed by the Respondents. In the event that the Petitioner appears on that date and time and produces the originals of the said documents, the authorities will pass appropriate orders within four weeks thereafter and in the event that the Petitioner does not appear or does not produce the documents referred to in the said letter, any benefit accruing to the Petitioner from this order shall be deemed to have been withdrawn and the Writ Petition shall accordingly stand dismissed.

The Petition is disposed of with the above directions.

There shall be no order as to costs.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.